TRADEMA

UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address COMMISSIONER FOR PATENTS P.O. DOX 1450 Alexandria, Vingnia 22313-1450 www.unplu.gov

APPLICATION NUMBER

FILING OR 371 (c) DATE

FIRST NAMED APPLICANT

ATTORNEY DOCKET NUMBER

10/772,574

02/05/2004

Ronald G. Thieman

3046-274

30565 WOODARD, EMHARDT, MORIARTY, MCNETT & HENRY LLP BANK ONE CENTER/TOWER 111 MONUMENT CIRCLE, SUITE 3700 INDIANAPOLIS, IN 46204-5137

United States Patent

CONFIRMATION NO. 2255 FORMALITIES LETTER *OC000000012522808*

Date Mailed: 05/04/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing. Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$900 for a Large Entity

- \$770 Statutory basic filing fee.
- \$130 Late oath or declaration Surcharge.

Replies should be mailed to:

Mail Stop Missing Parts

Commissioner for Patents

P.O. Box 1450

Alexandria VA 22313-1450

08/31/2004 HAHHED1 00000090 10772574

01 FC:1001 02 FC:1051 770.00 OP 130.00 OP

A copy of this notice MUST be returned with the reply.

Customer Service/Center
Initial Patent Examination Division (703) 308-1202
PART 2 - COPY TO BE RETURNED WITH RESPONSE

PTO/SB/17 (10-03) Approved for use through 07/31/2006. OMB 0651-0032

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE Under the Paperwork Reduction Act of 1995, no persons are required to and to a collection of information unless it displays a valid OMB control number

FEE TRANSMITTA for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT

(\$) 900.00

sporta to a concetion of this	offication anicoo it alopia to a talle offic	TOT HUITIDGE.
Complete if Known		
Application Number	10/772,574	
Filing Date	Feb. 05, 2004	
First Named Inventor	THIEMAN, Ronald G.	
Examiner Name		
Art Unit	3721	
Attorney Docket No.	70026260-0002-103	

METHOD OF PAYMENT (check all that apply)	FEE CALCULATION (continued)					
Check Credit card Money Other None	3. ADDITIONAL FEES					
Deposit Account:	<u>Large E</u>	ntity	Small	Entity		
Deposit Fo. 4400	Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
Account SU-1126	1051	130	2051	65	Surcharge - late filing fee or oath	130.00
Deposit Account	1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
Name The Director is authorized to: (check all that apply)	1053	130	1053	130	Non-English specification	
Charge fee(s) indicated below Credit any overpayments	1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
Charge any additional fee(s) or any underpayment of fee(s)	1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
Charge fee(s) indicated below, except for the filing fee	1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
to the above-identified deposit account.	1251	110	2251	55	Extension for reply within first month	
FEE CALCULATION	1252	420	2252	210	Extension for reply within second month	
1. BASIC FILING FEE Large Entity Small Entity	1253	950	2253		Extension for reply within third month	
Fee Fee Fee Fee <u>Fee Description</u> Fee Paid	1254	1,480	2254	740	Extension for reply within fourth month	
Code (\$) Code (\$) 1001 770 2001 385 Utility filing fee	1255	2,010	2255	1,005	Extension for reply within fifth month	\vdash
1002 340 2002 170 Design filing fee 770.00	1401	330	2401	165	Notice of Appeal	
1003 530 2003 265 Plant filing fee	1402	330	2402	165	Filing a brief in support of an appeal	
1004 770 2004 385 Reissue filing fee	1403	290	2403	145	Request for oral hearing	
1005 160 2005 80 Provisional filing fee	1451	1,510	1451	1,510	Petition to institute a public use proceeding	
SUBTOTAL (1) (\$) 770.00	1452	110	2452	55	Petition to revive - unavoidable	
2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE	1453	1,330	2453	665	Petition to revive - unintentional	
Fee from	1501	1,330	2501	665	Utility issue fee (or reissue)	
Extra Claims below Fee Paid Total Claims 20** = X	1502	480	2502	240	Design issue fee	
Independent	1503	640	2503	320	Plant issue fee	
Claims X X X X X X X X X X X X X X X X X X X	1460	130	1460	130	Petitions to the Commissioner	
	1807	50	1807	7 50	Processing fee under 37 CFR 1.17(q)	
Large Entity Small Entity Fee Fee Fee Fee Fee Description	1806	180	1806	180	Submission of Information Disclosure Stmt	
Code (\$) Code (\$)	8021	40	8021	1 40	Recording each patent assignment per property (times number of properties)	
1202 18 2202 9 Claims in excess of 20 1201 86 2201 43 Independent claims in excess of 3	1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))	
1203 290 2203 145 Multiple dependent claim, if not paid	1810	770	2810	385	For each additional invention to be	
1204 86 2204 43 ** Reissue independent claims over original patent	1801	770	2801	385	examined (37 CFR 1.129(b)) Request for Continued Examination (RCE)	
1205 18 2205 9 ** Reissue claims in excess of 20	1802	900	1802	900	•	\vdash
and over original patent			J		of a design application	
SUBTOTAL (2) (\$)		Other fee (specify)				
**or number previously paid, if greater; For Reissues, see above	*Redu	ced by	Basic	riling F	ee Paid SUBTOTAL (3) (\$) 130.0	00

SUBMITTED BY			(Complete	(if applicable))
Name (Print/Type)	Brian R. McGinley, Esq.	Registration No. (Attorney/Agent) 47782	Telephone	816.460.2400
Signature	79/		Date	8/25/2004

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. AUS 3 0 2004

IN THE UNITED STATES PATEST AND TRADEMARK OFFICE

In re U.S. P	Patent Application of:	AKS)	Examiner: Not yet assigned
	THIEMAN, Ronald G.)	, ,
~)	Group Art Unit: 3721
Serial No.:	10/772,574)	G G .: N 0055
Filed:	February 5, 2004)	Confirmation No. 2255
Title:	METHOD AND APPARATUS FOR)	
	PLACING A PRODUCT IN A FLEXIBLE RECLOSEABLE)	
	CONTAINER)	

RESPONSE TO NOTICE TO FILE MISSING PARTS

Mail Stop MISSING PARTS Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

Transmitted herewith and enclosed for filing in response to the March 24, 2004 Notice to File Missing Parts of Nonprovisional Application, please find:

- An original executed Declaration and Power of Attorney for this application.
- A copy of the Notice to File Missing Parts of Nonprovisional Application.
- Credit Card Payment Form in the amount of \$900.00 pursuant to 37 C.F.R. § 1.16(e).
- The Commissioner is hereby authorized to charge any additional fees which may be required to this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-1126. Should the proper amount note be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-1126.

Respectfully submitted,

SONNENSCHEIN NATH & ROSENTHAL LLP

August 27, 2004

SONNENSCHEIN NATH & ROSENTHAL LLP P.O. Box #061080 Wacker Drive Station Sears Tower Chicago, IL 60606-1080 816.460.2400 Registration No. 47,782

I hereby certify that this document and any being referred to as attached or enclosed is being deposited with the

Brian R. McGin

to as attached or enclosed is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to Mail Stop MISSING PARTS, Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450, on:

8-26-04 Connie a. Mills

Date Connie A. Mills

21193353\V-1